

October 3, 2019

Samuel Sinyangwe
c/o MuckRock News
DEPT MR 74864
411A Highland Ave.
Somerville, MA 02144-2516

Email: 74864-87247913@requests.muckrock.com

VIA EMAIL AND U.S. MAIL

Dear Mr. Sinyangwe:

The Sheriff's Department is receipt of your payment (dated August 23, 2019) for the costs associated with providing the data that the San Diego County Sheriff's Department collected pursuant to the Racial and Identity Profiling Act of 2015, enacting California Government Code section 12525.5 (RIPA) from January 1, 2019 through July 31, 2019. The San Diego County Sheriff's Department processed your check for payment to produce the requested records.

The Sheriff's Department provides RIPA data to the California Department of Justice (Cal-DOJ) at regularly scheduled intervals. We provided the data from July 1, 2018, to December 31, 2018, free of charge, because we had already provided it to the Cal-DOJ. The next set of data will be provided to the Cal-DOJ by April 1, 2020. Prior to processing your payment for the records, the Sheriff's Department did not plan to prepare the data for release until on or about April 1, 2020. Pursuant to Government Code section 6253.9(b), "the requester shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when... the public agency would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals." The costs for the extraction of exempt material from electronic records are borne by the requestor. (See Gov't Code § 6253.9(b); *National Lawyers Guild, San Francisco Bay Area Chapter v. City of Hayward* (2018) 27 Cal.App.5th 937, 952 (review granted)). Thus, the Sheriff's Department is charging for the costs incurred, including the hourly salary and benefits of the employees who processed the data.

The Sheriff's Department estimated that the cost to produce the requested data would be \$1,472.96, based on the estimation that it would take Employee 1, whose salary plus benefits totals \$108.01 per hour, eight hours to compile, extract, and program the records, and Employee 2, whose salary plus benefits totals \$152.22 per hour, four hours to extract exempt PII data.

The breakdown of the actual costs of production is included below. The Sheriff's Department is charging for the manual costs of data compilation, extraction, and programming. The data

extraction, compilation, and programming took Employee 1 eight hours and one minute, costing \$865.16, and Employee 2 four hours and ten minutes, costing \$633.23. Thus, the cost to compile the requested data was \$1,498.39. The Sheriff's Department does not seek payment beyond the \$1,472.96 that was previously provided to the Department.

The Sheriff's Department is providing the RIPA data from January 1, 2019 through July 31, 2019, redacted pursuant to Government Code section 12525.5(d), and Code of Regulations section 999.224 through 99.229. This record is being provided in the same format as the previous RIPA data that was provided. Validation corrections required by Cal-DOJ cannot be processed before submission and may cause data inconsistencies between the raw data that is being provided at this time and the data that is later accepted by the Cal-DOJ.

The Sheriff's Department is providing four documents: an excel and text file of the RIPA data that is reported to the Cal-DOJ, and an excel and text file of the RIPA data with beat information, a field that the Sheriff's Department collects in addition to the RIPA requirements. The beat data is not submitted to or accepted by the Cal-DOJ.

Action	Type	Start Time	End Time	Total Time
Employee 1; cost: \$108.01 per hour				
Process Setup	Manual	10:15:00 AM	10:40:00 AM	0:25:00
Run Regex Script	Auto	10:46:00 AM	10:47:00 AM	0:01:00
Run Names ReasonForStop Script	Auto	10:49:00 AM	5:45:00 PM	6:56:00
Parallel Setup	Manual	2:30:00 PM	2:45:00 PM	0:15:00
Run Names BasisForSearch Script	Auto	2:45:00 PM	3:51:00 PM	1:06:00
Result Processing Prep	Manual	6:49:00 AM	7:33:00 AM	0:44:00
Result Processing	Manual	7:40:00 AM	8:06:00 AM	0:26:00
		9:28:00 AM	10:30:00 AM	1:02:00
		10:45:00 AM	10:47:00 AM	0:02:00
Compile Results	Manual	10:50:00 AM	11:06:00 AM	0:16:00
		7:11:00 AM	7:30:00 AM	0:19:00
		7:45:00 AM	8:11:00 AM	0:26:00
Data Extraction Preparation	Manual	1:00:00 PM	1:30:00 PM	0:30:00
Data Extraction Support	Manual	1:34:00 PM	3:25:00 PM	1:51:00
Create Data Integrity Script	Manual	11:45:00 AM	1:00:00 PM	1:15:00
File Extraction	Manual	4:15:00 PM	4:45:00 PM	0:30:00
Employee 1 Manual Time and Cost			8:01:00 (8.01)	\$865.16
Employee 2; cost: \$152.22 per hour				
Data Extraction	Manual	1:30:00 PM	4:30:00 PM	3:00:00
		6:15:00 AM	7:25:00 AM	1:10:00
Employee 2 Manual Time and Cost			4:10:00 (4.16)	\$633.23

Total Manual Time and Cost	12:11:00	\$1,498.39
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Sincerely,

WILLIAM D. GORE, Sheriff

Amanda M. Lomnicky, Legal Advisor
Office of the Sheriff – Legal Affairs Unit